


<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 30794.94USWO  U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>107537385</b>
INTERNATIONAL APPLICATION NO. PCT/US03/21916	INTERNATIONAL FILING DATE 15 JULY 2003	PRIORITY DATE CLAIMED 16 DEC 2002; 16 DEC 2002
TITLE OF INVENTION GROWTH OF PLANAR, NON-POLAR A-PLANE GALLIUM NITRIDE BY HYDRIDE VAPOR PHASE EPITAXY		
APPLICANT(S) FOR DO/EO/US Benjamin A. Haskell, Paul T. Fini, Shigemasa Matsuda, Michael D. Craven, Steven P. DenBaars, James S. Speck and Shuji Nakamura		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.		
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input checked="" type="checkbox"/> The US has been elected (Article 31).		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul>		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul>		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul>		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <input type="checkbox"/> Other items or information:		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/537385</b>		INTERNATIONAL APPLICATION NO. PCT/US03/21916		ATTORNEY'S DOCKET NUMBER 30794.94USWO		
The following fees have been submitted				CALCULATIONS	PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$ 300.00		
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 100.00		
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 100.00		
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$ 500.00</b>		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE			
- 100 =	/50 =		x \$250	\$		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$		
Total claims	17 - 20 =	-0-	x \$ 50	\$ -0-		
Independent claims	1 - 3 =	-0-	x \$200	\$ -0-		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 500.00</b>		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.						
<b>SUBTOTAL =</b>				<b>\$ 500.00</b>		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 500.00</b>		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$		
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 500.00</b>		
				Amount to be refunded:	\$	
				Amount to be charged:	\$	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-0494</u> in the amount of \$ <u>500.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0494</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.						
SEND ALL CORRESPONDENCE TO: <b>CUSTOMER NUMBER 22462</b> GATES & COOPER LLP Howard Hughes Center 6701 Center Drive West, Suite 1050 Los Angeles, CA 90045						
				 SIGNATURE		
				George H. Gates		
				NAME		
				33,500		
				REGISTRATION NUMBER		

10/537385

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Benjamin A. Haskell, Paul T. Fini, Shigemasa Matsuda, Michael D. Craven, Steven P. DenBaars, James S. Speck and Shuji Nakamura

Docket: 30794.94USWO

Title: GROWTH OF PLANAR, NON-POLAR A-PLANE GALLIUM NITRIDE BY HYDRIDE VAPOR PHASE EPITAXY

JC20 Rec'd PCT/PTO 03 JUN 2005

## CERTIFICATE OF MAILING UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV 329956405 US

Date of Deposit: June 3, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: *Darlene Ross*  
Name: Darlene Ross

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Adjustment Date: 09/16/2005 WALVARAD  
06/09/2005 LLANDGRA 00000015 500494 10537385  
02 FC:2632 250.00 CR  
03 FC:2633 100.00 CR

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate Of Mailing Under 37 CFR 1.10.
- ☒ Form PTO-1390: TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371.
- The fee has been calculated as shown below in the "Claims as Filed" table.
- ☒ Copy of signed Declaration of Inventorship, as filed in the International Application – 2 pages.
- ☒ A charge to Deposit Account in the amount of \$500.00 to cover the Total National Fee
- ☒ Return postcard.

## CLAIMS AS FILED

Number of Claims Filed	In Excess of:	Number Extra	Rate	Fee
Basic Filing Fee (Basic national fee + Examination fee + Search fee)				\$500.00
Application Size Fee				0.00
Total Claims				10537385
17	20	=	09/16/2005 WALVARAD 00000004 500494 10537385 Sale Ref: 00000008 DA# 500494 10537385 01 FC:2641 50.00 DA	\$0.00
Independent Claims			02 FC:2643 50.00 DA	
1	3	=	0 x \$200.00 =	\$0.00
MULTIPLE DEPENDENT CLAIM FEE				\$0.00
TOTAL NATIONAL FEE				\$500.00

Please charge all fees to Deposit Account No. 50-0494. A duplicate of this sheet is enclosed.

Customer Number 22462

GATES &amp; COOPER LLP

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(310) 641-8797

By: *George H. Gates*  
Name: George H. Gates  
Reg. No.: 33,500  
Initials: GHG/dr

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
50	0494
FEE CODE	VALUE PURCHASED
0130	250
2641	50
2633	100
2643	50

(PTO TRANSMITTAL – NEW FILING)